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By: **Senators Miller and Brochin**

Introduced and read first time: January 31, 2003

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **DNA Testing - Offender Sample Collection, Technology Fund, and**  
3 **Preservation of Evidence - Extension**

4 FOR the purpose of extending the termination date, subject to a certain contingency,  
5 of certain provisions of law relating to the collection of certain DNA samples of  
6 certain convicted persons, the administration of a DNA Technology Fund, and  
7 the preservation of certain scientific identification evidence for a certain period;  
8 increasing the amount of a certain award of a certain grant used to implement  
9 the provisions of a certain Act as a contingency; and generally relating to DNA  
10 testing, the DNA Technology Fund, and the preservation of scientific  
11 identification evidence under certain circumstances.

12 BY repealing and reenacting, with amendments,  
13 Chapter 465 of the Acts of the General Assembly of 2002  
14 Section 4 and 5

15 **Preamble**

16 WHEREAS, It is the intent of the General Assembly to continue the collection of  
17 DNA samples of all individuals convicted of a felony or certain burglary or breaking  
18 and entering misdemeanors, the existence of the DNA Technology Fund to purchase  
19 or replace DNA technology equipment, and the preservation of scientific  
20 identification evidence during the time of sentence of an individual convicted of an  
21 offense in which scientific identification evidence is secured; now, therefore,

22 **SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF**  
23 **MARYLAND, That the Laws of Maryland read as follows:**

24 **Chapter 465 of the Acts of 2002**

25 **SECTION 4. AND BE IT FURTHER ENACTED,** That this Act is contingent on  
26 the receipt by the Department of State Police of a binding written award of a grant  
27 from any private entity or federal agency by September 1, [2002] 2003, of at least  
28 [\$1,500,000] \$4,500,000 to be used to implement the provisions of this Act during the  
29 period between October 1, [2002] 2003 and September 30, [2003] 2006. If the

1 Department of State Police does not receive a binding written award by September 1,  
2 [2002] 2003 as provided in this Section, this Act, with no further action required by  
3 the General Assembly, shall be null and void and of no force and effect. If the  
4 Department of State Police receives a binding written award by September 1, [2002]  
5 2003, the Department shall forward a copy of the written award within 5 days of  
6 receipt to the Department of Legislative Services, 90 State Circle, Annapolis,  
7 Maryland 21401.

8 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of  
9 this Act, this Act shall take effect October 1, [2002] 2003. It shall remain effective for  
10 a period of [1 year] 3 YEARS and, at the end of September 30, [2003] 2006, with no  
11 further action required by the General Assembly, this Act shall be abrogated and of no  
12 further force and effect.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2003.